

Senate File 2134 - Introduced

SENATE FILE _____
BY COMMITTEE ON VETERANS AFFAIRS

(SUCCESSOR TO SSB 3033)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to requirements and duties of members, directors,
2 and employees of county commissions of veteran affairs.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5482SV 82
5 md/rj/8

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1 1 Section 1. Section 35A.5, subsection 9, Code Supplement
1 2 2007, is amended to read as follows:
1 3 9. After consultation with the commission, provide
1 4 training to ~~executive commissioners, directors, and~~
1 5 ~~administrators~~ of county commissions of veteran affairs
1 6 pursuant to section 35B.6. The department may adopt rules in
1 7 accordance with chapter 17A to provide for training of county
1 8 veteran affairs ~~executive commissioners, directors, and~~
1 9 ~~administrators~~.
1 10 Sec. 2. Section 35B.6, Code 2007, is amended to read as
1 11 follows:
1 12 35B.6 QUALIFICATION == TRAINING == OFFICES.
1 13 1. a. The members of the commission shall qualify by
1 14 taking the usual oath of office, and give bond in the sum of
1 15 five hundred dollars each, conditioned for the faithful
1 16 discharge of their duties with sureties to be approved by the
1 17 county auditor. The commission shall organize by the
1 18 selection of one of their members as chairperson, and one as
1 19 secretary. ~~The commission, subject to the approval of the~~
~~1 20 board of supervisors, shall have power to employ an executive~~
~~1 21 director and other necessary administrative or clerical~~
~~1 22 assistants when needed, the compensation of such employees to~~
~~1 23 be fixed by the board of supervisors, but no member of the~~
~~1 24 commission shall be so employed. The commission shall employ~~
1 25 ~~a director or administrator, and other necessary~~
1 26 ~~administrative or clerical assistants when needed. The~~
1 27 ~~compensation of the director, administrator, or other~~
1 28 ~~necessary administrative or clerical employees shall be set by~~
1 29 ~~the commission at a rate comparable to the rate set for other~~
1 30 ~~similar positions in the county. A commissioner shall not be~~
1 31 ~~employed as a director, administrator, or an administrative or~~
1 32 ~~clerical assistant. Commissioners shall complete a course of~~
1 33 ~~initial training provided by the department of veterans~~
1 34 ~~affairs pursuant to section 35A.5. The executive director~~
1 35 ~~must possess the same qualifications as provided in section~~
2 1 35B.3 for commission members. However, this qualification
2 2 requirement shall not apply to a person employed as an
2 3 executive director prior to July 1, 1989.
2 4 b. ~~The commission may employ an administrator in lieu of a~~
2 5 ~~director. Administrators shall not be required to meet all~~
2 6 ~~the qualifications provided in section 35B.3 for~~
2 7 ~~commissioners. An administrator may hold another position~~
2 8 ~~within the county or other government entity while serving as~~
2 9 ~~an administrator only if such position does not adversely~~
2 10 ~~affect the administrator's duties under this chapter.~~
2 11 c. Upon the employment of ~~an executive a director or~~
2 12 ~~administrator, the executive director or administrator shall~~
2 13 ~~complete a course of initial training provided by the~~
2 14 ~~department of veterans affairs pursuant to section 35A.5. If~~
~~2 15 an executive director is not appointed, a commissioner or a~~
~~2 16 clerical assistant shall complete the course of training. The~~
2 17 ~~department shall issue the executive director, administrator,~~
2 18 ~~commissioner, or clerical assistant a certificate of training~~
2 19 ~~after completion of the initial training course. To maintain~~

2 20 annual certification, the executive director, administrator,
2 21 commissioner, or clerical assistant shall attend one
2 22 department training course each year. Failure to maintain
2 23 certification may be cause for removal from office. The
2 24 expenses of training shall be paid from the appropriation
2 25 authorized in section 35B.14.

2 26 d. The duties of the director, administrator, and clerical
2 27 assistant shall include all of the following:

2 28 (1) Inform members of the armed forces, veterans, and
2 29 their dependents of all federal, state, and local laws enacted
2 30 for their benefit.

2 31 (2) Assist all residents of the state who served in the
2 32 armed forces of the United States and their relatives,
2 33 beneficiaries, and dependents in receiving from the United
2 34 States and this state any and all compensation, pensions,
2 35 hospitalization, insurance, educational, employment pay and
3 1 gratuity, loan guarantees, or any other aid or benefit to
3 2 which they may be entitled under any law.

3 3 e. The department of veterans affairs or county veterans
3 4 affairs offices shall not charge for any service provided to
3 5 any individual.

3 6 2. Two or more boards of supervisors may agree, pursuant
3 7 to chapter 28E, to share the services of ~~an executive a~~
3 8 ~~director or administrator.~~ The agreement shall provide for
3 9 the establishment of a commission of veteran affairs office in
3 10 each of the counties participating in the agreement.

3 11 3. ~~The commission with the approval of the board of~~
3 12 ~~supervisors shall appoint one of the deputies of the county~~
3 13 ~~auditor to serve as administrative assistant to the~~
3 14 ~~commission, to serve without additional compensation, unless~~
3 15 ~~for good reasons shown, this arrangement is not feasible.~~

3 16 4. ~~In counties where a~~ The commission has established
3 17 shall establish an office, ~~the office which~~ shall be open a
3 18 minimum of ~~four hours each workday~~ twenty hours each workweek.
3 19 The hours that the office is open shall be posted in a
3 20 prominent position outside the office. ~~In lieu of an office~~
3 21 ~~being open a minimum of four hours each workday, the names,~~
3 22 ~~home addresses, telephone numbers, and duties of commission~~
3 23 ~~members shall be posted.~~

3 24 EXPLANATION

3 25 Current Code section 35B.6 allows county commissions of
3 26 veteran affairs to employ an executive director and other
3 27 necessary administrative or clerical assistants when needed.
3 28 This bill requires county commissions of veteran affairs to
3 29 employ a director or administrator, and other necessary
3 30 administrative or clerical employees. The bill changes the
3 31 term "executive director" to "director". If the county
3 32 commission of veteran affairs employs an administrator, the
3 33 administrator may hold another position within the county if
3 34 such position does not adversely affect the administrator's
3 35 duties. Compensation for the director, or administrator, and
4 1 other necessary employees shall be set by the commission at a
4 2 rate comparable to the rate set for similar positions in the
4 3 county. The bill prohibits commissioners from being employed
4 4 as a director, administrator, or other commission employee.

4 5 The bill also requires commissioners to complete a course
4 6 of initial training provided by the department of veterans
4 7 affairs. The director, administrator, commissioners, and
4 8 clerical assistants shall also attend one department training
4 9 course per year to maintain their annual certification.

4 10 The bill describes the duties of the director,
4 11 administrator, and clerical assistant. Those duties include
4 12 informing members of the armed forces, veterans, and their
4 13 dependents of all federal, state, and local laws enacted for
4 14 their benefit, and assisting all residents of the state who
4 15 served in the armed forces and their relatives, beneficiaries,
4 16 and dependents in receiving any and all compensation or any
4 17 other aid or benefit to which they may be entitled under any
4 18 law.

4 19 The bill allows two or more county boards of supervisors to
4 20 share the services of a director or administrator. The bill
4 21 requires each commission to establish an office which must be
4 22 open for at least 20 hours each workweek. The bill prohibits
4 23 charging any individual for any service provided by the
4 24 department of veterans affairs or county veteran affairs
4 25 offices.